

## **Remarks**

### Restriction Requirement

In the Action mailed January 25, 2010, the Office restricted the application to the following Groups of claims:

Group I - Claims 1-7, 16-17, 21, and 23-24, drawn to a VEGF polypeptide of Figure 7 and a method of inducing migration of vascular endothelial cells and compositions comprising or containing said polypeptide;

Group II - Claims 8-10, drawn to a method of attenuating chemotherapy toxicity;

Group III - Claims 11-12, drawn to a method of lengthening the life-span of living tissue or cells by administering the polypeptide of Figure 7;

Group IV - Claims 13-15, drawn to a method of protecting against ischemic reperfusion injury by administering the polypeptide of Figure 7;

Group V - Claims 18-20, drawn to a method of increasing the rate of wound healing by applying a VEGF variant; and

Group VI - Claim 22, drawn to a method of inducing a survival pathway in stem cells by administering the polypeptide of Figure 7.

### Election and Traverse

In response to the Restriction Requirement, Applicant elects Group I, *i.e.*, claims 1-7, 16-17, 21, and 23-24, **without traverse**.

Applicant also concurrently submits a preliminary amendment to address the objections raised by the Office in the Restriction Requirement.

In the event the Commissioner should decide that any additional fee or fee deficiency is due, the Commissioner is hereby authorized to charge any and all fees incurred as a result of entering or considering this document to deposit account number 03-0172.

*Application No. 10/597,509*  
*Attorney Docket No. 22727/04421*  
*Response to Restriction Requirement*

Respectfully submitted,

Calfee, Halter & Griswold LLP

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